

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

TONY DAVIS,
Defendant,

and

BANK OF AMERICA, N.A.
Garnishee.

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CASE NO. A-96-CR-190(1)-JRN

CLERK'S NOTICE OF WRIT OF GARNISHMENT

TO: Tony Davis

You are hereby notified that this money/property is being taken by the United States Government ("the Government"), which has a court judgment in Case No. A-96-CR-190(01)JRN, in the Western District of Texas, Austin Division, in the amount of \$3,609,937.79 for restitution.

In addition, you are hereby notified that you have the rights to claim exemptions from the Writs of Garnishment, to request a hearing, and to request a transfer of these proceedings (if applicable), as more fully described below. You may use the attached form to exercise these rights.

There are exemptions under the law which may protect some of the property from being taken by the Government if you can show that the exemptions apply. A detailed explanation of the exemptions is contained in the attached form. The right to exempt property from this claim is established by federal law, 18 U.S.C. § 3613. If you don't understand your rights, you may wish to seek advice as discussed below. You have a right to ask the court to return your property to

you if you think that you do not owe the money to the government that it says you do. If you think the property the government is taking qualifies under one of the exemptions, you may use the enclosed form to claim those exemptions. You must either mail it or deliver it in person to the Clerk of the United States District Court, Western District of Texas, 200 W. 8th St., Austin, Texas 78701.

If you want a hearing, you must notify the court within 20 days after receipt of this notice. Your request must be in writing. If you wish, you may use the attached form. You must either mail it or deliver it in person to the Clerk of the United States District Court, Western District of Texas, 200 W. 8th St., Austin, Texas 78701. You must also send a copy of your request to the United States Attorney for the Western District of Texas, ATTN: AUSA Susan B. Biggs, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216, so the Government will know you want a hearing. The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible. The court will issue an order advising you of the time, place and date of the hearing. At the hearing you may explain to the judge why you believe the property the Government is taking is exempt or why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, the proceeds from the garnishment will be paid on the debt you owe to the United States Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the Court at U.S. Courthouse, 200 W. 8th St., Austin, Texas 78701. If you wish, you may use the attached

form. You must also send a copy of your request to the U.S. Attorney, ATTN: AUSA Susan B. Biggs, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

DATE: October 18, 2010



CLERK, UNITED STATES DISTRICT COURT